

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Shigeru Nakamura

Application No.: 10/568,984

Confirmation No.: 8872

Filed: August 2, 2006

Art Unit: 2874

For: ALL-OPTICAL SWITCH

Examiner: H. Q. Tran

**RESPONSE TO FINAL ACTION UNDER 37 C.F.R. 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated December 26, 2008, finally rejecting claims 1-5, please amend the above-identified U.S. patent application as follows:

**A Listing of the Claims** begins on page 3 of this paper. No claim amendments are made herein.

**Remarks/Arguments** begin on page 5 of this paper.

## FEE CALCULATION

Any additional fee required has been calculated as follows:

|   | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate       | Additional Fee |
|---|----------------------------------|--------------------------------|-----------------------------|------------|----------------|
| Total   | 5                                | 20* =                          | 0                           | x \$50.00  | \$0.00         |
| Independent   | 1                                | 3** =                          | 0                           | x \$210.00 | 0.00           |
| First presentation of Multiple Dependent Claim(s) (if applicable) |                                  |                                |                             |            | 0.00           |
| TOTAL   |                                  |                                |                             |            | \$0.00         |

\*not less than 20      \*\* not less than 3

No additional fee is required.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

## CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.